

**Remarks**

**A. Claims in the Case**

Claims 1-4, 6-9, 11-25, 27-39, 41-46, and 58-61 are pending. Claims 1, 17, and 31 have been amended.

**B. Claim Objections**

The Examiner objected to claim 21 because the status identifier read in the amendment filed 13 October 2005 read “(currently amended)” but no changes were evident. The claim was previously amended. The status of the claim 21 has been changed to the appropriate status of “previously presented”.

**C. 35 U.S.C. §112, Second Paragraph**

The Examiner rejected claims 1 and 31 under 35 U.S.C. §112, second paragraph, on grounds that the phrase “the information received” did not have sufficient antecedent basis. Applicant has amended claims 1 and 31 for clarification. Applicant respectfully requests removal the rejections of claims 1 and 31 under 35 U.S.C. §112, second paragraph.

**D. The Claims Are Not Obvious Over Huffman in View of Kuwamoto and further in view of Provost Under 35 U.S.C. § 103(a)**

The Examiner rejected claims 1-4, 9, 14, 16-21, 25, 30-35, 39, 44, 46, 58, and 60-61 as being obvious over U.S. Patent No. 5,870,711 to Huffman (“Huffman”) in view of U.S. Patent No. 5,483,632 to Kuwamoto et al. (“Kuwamoto”) and further in view of U.S. Patent No. 6,341,265 to Provost et al. (“Provost”) under 35 U.S.C. § 103(a). Applicant respectfully disagrees with these rejections.

To reject a claim as obvious, the Examiner has the burden of establishing a *prima facie* case of obviousness. *In re Warner et al.*, 379 F.2d 1011, 154 U.S.P.Q. 173, 177-178 (C.C.P.A.

1967). To establish a *prima facie* obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP § 2143.03.

Applicant has amended claim 1 to describe a combination of features including:

automatically displays one or more processing steps to a user;

automatically generates a request to display a message to the user based on the displayed processing steps, wherein the request comprises a requested message code;

automatically searches the database for a matching entry which matches the requested message code, wherein the database stores a plurality of entries including the matching entry;

automatically retrieves the matching entry from the database in response to said searching the database for the matching entry which matches the requested message code, wherein the matching entry comprises a matching message text;

automatically displays the matching message text corresponding to the requested message code to the user along with one or more of the displayed processing steps, wherein the message text is configured to assist the user in processing the insurance claim using the insurance claims processing program,

Support for the amendments to the claims may be found in Applicant's specification at least on page 9, lines 24-27; page 10, lines 1-5; and page 11, lines 21-28.

Applicant respectfully submits that Huffman, alone or in combination with the other cited art, does not teach or suggest the above-quoted features of claim 1, in combination with the other features of the claim. Claim 1 is directed to a method of processing a bodily injury claim, which includes displaying one or more steps for processing of the claim to the user. As the processing steps are displayed to the user, one or more message requests may be generated, depending on the step that is displayed. The message text matching the request is then displayed to that user along with one or more the processing step.

The Office Action states:

Examiner notes the recited features of “automatically generates a request to display a message” are taught by the combination of applied references. Examiner interprets Huffman’s teachings of “the system automatically...[...]...create[s] correspondence ...[...] ... generate[s] copies of letters to carbon copy or blind copy individuals with a unique message to each recipient... [...] ... utilizing standard form letters contained within the system,” (Huffman; column 7, lines 7-20) as teaching this limitation.  
*[Emphasis added]*.

The Office Action further states:

wherein the program “displays the adjuster activity report to the screen” (reads on “the message text is displayed along with one or more of the processing steps”) (Huffman; column 11, lines 37-57, column 12, lines 50-53)  
*[Emphasis added]*.

Huffman appears to be directed to a method that allows a user to generate a message that is sent out to other parties to request information. For example, Huffman states:

A need has arisen for an automated method and system for cargo claim management that ... has the ability to automatically generate correspondence to customers and input information requested by the correspondence ...  
(Huffman, column 2, lines 45-57)

Huffman describes cargo claims processing software that may be used to track the progress of a cargo claim. The software described by Huffman allows a user of the software to “request letters or data from a station.” The software, upon receiving a request from a user, will generate the correspondence. A portion of Huffman relied upon in the Office Action states:

In creating correspondence, the claims adjuster has the ability to create a letter and envelope to the customer claimant that will acknowledge the receipt of the claim, request additional data from the claimant, or deny the claim. The claim adjuster can also request additional data from the carrier company's stations. The system cannot only create a letter and envelope to the claimant, but it will also generate copies of letters to carbon copy or blind copy individuals with a unique message to each recipient. This can be done utilizing standard form letters contained within the system or special user created letters.  
(Huffman, column 7, lines 11-21).

The “messages” that are generated using Huffman’s software are messages directed to third parties such as claimants and blind carbon copies recipients, and not displayed to a user processing an insurance claim to produce an estimate of the claim. Therefore, Applicant submits that Huffman does not teach or suggest the feature of automatically generating a request to display a message to the user based on the displayed processing steps, wherein the request comprises a requested message code.

Moreover, the “adjuster activity report” described as being displayed in the cited portion of column 11 of Huffman does not appear to be the “message” generated by the request in the cited portion of column 7 of Huffman. Therefore, Applicant disagrees that Huffman teaches or suggests automatically displaying the matching message text for a requested message code to the user along with one or more of the displayed processing steps.

Since the Office Action does not appear to rely on any of the other references for the features “automatically generates a request to display a message” and “the message text is displayed along with one or more of the processing steps”, and these features do not appear to be taught in any of the other references, Applicant submits that the Office Action has not shown the all of the features of Applicant’s claims are taught in the cited art.

Amended claim 1 further describes:

customizing the message text of at least one of the entries for a particular insurance company during an installation of an insurance claims processing program on a computer system, wherein said customizing the message text comprises modifying the message text of the at least one entry during the installation;

The cited art does not appear to teach or suggest at least this feature of claim 1, in combination with the other features of the claim.

The Office Action relies on Kuwamoto, Figures 4 and 14, item 1431, column 2, lines 60 to column 3, line 64, column 5, lines 43-47, column 10, lines 44-45 for the above-quoted feature of claim 1. Applicant respectfully disagrees with Office Action’s position. Kuwamoto states:

Depending on its executing status, the AP 1402 issues a help message change

request, in step 1431, to the OS 1401. In response, the OS 1401 searches, in step 1415, for the window management block 1300 having the same program identifier as that of the AP that made the request. During the search, the OS 1401 goes through the list beginning at the active pointer 1301. When the block is found, the OS 1401 sets to the message identifier 1306 the number specified by the AP 1402, in step 1416.

(Kuwamoto, column 10, lines 45-53)

Kuwamoto discloses an application program (AP) issuing a "help message change request" after activation of a help program. In response to the help message change request, the operating system searches for a "window management block" having the same program identifier as the requesting application program, then sets a message identifier to a number specified in that application program. Kuwamoto does not appear to teach or suggest modifying the message text of an entry in a database. Furthermore, Kuwamoto does not appear to teach or suggest modifying a database entry for a particular insurance company, during installation of an insurance claims processing program.

The Office Action further points to the section of Kuwamoto that states:

According to the present invention, there are also provided a help data management table and a help message searching table. The help data management table contains a program identifier that identifies each application program and a storing position where the help data for each application program is stored. The program identifier and the storing position are related to each other when stored. The help message searching table contains a message identifier for each help message of application programs, along with a storing position where each help message of help data is stored. The message identifier and the storing position are also related to each other when stored. In searching for help message data, the two tables are used to find out where the desired help message data is located in memory. On completion of the search, the data is displayed on the display unit. The two tables have the same functions as those of the above-described help-information searching table.

When application programs are incorporated into an information processing system, the storing position of the help data for each application program is stored in the help data management table.

(Kuwamoto, column 3, lines 7-29)

Kuwamoto appears to teach that a position of a preexisting help table for each application program stored, is kept in a help data management table. Kuwamoto does not appear to teach or suggest modifying the message text of an entry in a database. Furthermore, Kuwamoto does not

appear to teach or suggest modifying a database entry for a particular insurance company, during installation of an insurance claims processing program.

For at least the above reasons, Applicant asserts claim 1 and the claims depending thereon are allowable over the cited art. Applicant respectfully requests removal of the 35 U.S.C. §103 rejections of these claims.

Amended claim 17 describes a combination of features including, but not limited to:

- automatically generate one or more processing steps in response to the insurance claim;
- automatically display one or more processing steps to the user on the display device;
- automatically generate a request to display a message to the user based on the displayed processing steps, wherein the request comprises a requested message code;
- automatically search the database for a matching entry which matches the requested message code;
- automatically retrieve the matching entry from the database, wherein the matching entry comprises a matching message text;
- automatically display the matching message text corresponding to the requested message code to the user on the display device along with one or more of the displayed processing steps, wherein the message text is configured to assist a user in processing the insurance claim using the insurance claims processing program; and

Amended claim 17 further describes:

- customize the message text of at least one entry in the database during an installation of the insurance claims processing program on a computer system, wherein said customizing the message text comprises modifying the message text of the at least one entry during the installation

Amended claim 31 describes a combination of features including, but not limited to:

- automatically displays one or more processing steps to a user;
- automatically generates a request to display a message to the user based on the displayed processing steps, wherein the request comprises a requested message code;

automatically searches a database for a matching entry which matches the requested message code, wherein the database stores a plurality of entries including the matching entry, wherein each entry in the database comprises a message code and a corresponding message text;

automatically retrieves the matching entry from the database in response to said searching the database for the matching entry which matches the requested message code, wherein the matching entry comprises a matching message text;

automatically displays the matching message text corresponding to the requested message code to the user along with one or more of the displayed processing steps, wherein the message text is configured to assist a user in processing the insurance claim using an insurance claims processing program;

Amended claim 31 further describes:

customizing the message text of at least one of the entry in a database for a particular insurance company during an installation of an insurance claims processing program on a computer system;

For similar reasons to those stated above with respect to claim 1, Applicant respectfully submits that claim 17 and the claims depending thereon, and claim 31 and the claims depending thereon are allowable over the cited art. Applicant respectfully requests removal of the 35 U.S.C. §103 rejections of these claims.

**E. Additional Comments**

Applicant submits that all of the claims are in condition for allowance. Favorable reconsideration is respectfully requested.

If an extension of time is required, Applicant hereby requests the appropriate extension of time. If any fees are omitted, please appropriately charge those fees to Meyertons, Hood, Kivlin, Kowert & Goetzel, P.C. Deposit Account Number 50-1505/5053-36200/EBM.

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